

REMARKS

Claims 1-22 remain in the application. Claims 1, 11, 18, 21, and 22 are the only claims in independent form. The claims have been amended to clarify that the absorption mechanism of the present invention is disposed on the entire inner surface of the vessel and substantially cover the side walls and bottom walls of the vessel therein.

Claims 1-3, 5-8, 11-15, and 17-20 stand rejected under 35 U.S.C. § 102(b) as being anticipated by the Williams reference (U.S. Patent No. 5,455,972). According to the Office Action, the "Williams reference discloses an apparatus for collecting liquid comprising a vessel 28 and an absorption means 22." (Paragraph 2 of the Office Action) As such, the Williams reference anticipates the above-referenced claims of the present invention. In response thereto, the Williams reference does not anticipate the claims of the present invention. The Williams reference discloses a bag that may be constructed from polyethylene or other plastic material impervious to or at least not readily permeated by liquid such as urine and the like (Column 2, Lines 26-33). The bag completely encloses and surrounds a bed pan (see Figures 3-5, Column 2, Lines 60-67). Moreover, in order to dispose of the waste collected within the bag, the bag with its contents absorbed by the pad is removed from the bed pan by inverting or inverting the bag to the obverse side, i.e., turning the bag inside out so that the interior surface is pulled over the exterior surface including the pouch (see Figure 4, Column 3, Lines 1-7).

In contrast, the presently pending independent claim 1, claims an apparatus including a vessel having side walls and bottom walls forming an inner surface and an absorption mechanism disposed on the entire inner surface substantially covering the side walls and bottom wall of the vessel for absorbing and collecting liquids within the vessel. This invention is completely disposable and does not involve the use of any type of bag surrounding the outer surface of the vessel thereon. Moreover, because the absorption mechanism is disposed on the entire inner surface of the vessel, any type of spillage that may occur during transportation of the bed pan apparatus will be prevented.

Additionally, the absorption mechanism is form fitting on the inside or inner surface of the vessel and does not enclose the entire bed pan whatsoever. Thus, the present invention as set forth in amended claim 1, is not anticipated by the Williams reference. Reconsideration of the rejection is respectfully requested.

Claims 1, 2, 4-6, 9, 10-13, 16, and 18-22 stand rejected under 35 U.S.C. § 102(b) as being anticipated by the Stevens reference (GB 2224522 A). According to the Office Action, the Stevens reference discloses an apparatus for collecting liquid comprising a vessel 1 and absorption means 8. Additionally, the invention disclosed in the Stevens reference is for a disposable liner that contains liquid absorbent material provided by a pad of a cellulose wadding. The invention disclosed in the Stevens reference provides for "a absorbent pad adhered to the inner side of the liner shaped generally to fit the bottom of the toilet receptacle when the liner is fitted therein" (see Page 2, Lines 3-6). Again, as with the Williams reference discussed above, the Stevens reference discloses an apparatus having an absorption mechanism lined on the bottom portion of the receptacle therein. There is no absorption mechanism or pad located or situated on the sides of the liner in order to prevent any type of spillage that may occur during transportation or any other similar movement. There is no means for preventing the spillage of any type of liquid from within the apparatus disclosed in the Stevens reference. In contradistinction, the presently pending independent claim 1, as amended, claims an apparatus including an absorption mechanism being completely lined and covering the interior portion of the vessel of the bed pan apparatus. As discussed above, this provides an advantage over the prior art and thus is not anticipated by the Stevens reference. As a result, reconsideration of the rejection is respectfully requested.

The remaining dependent claims pending in the present application are ultimately dependent upon at least one of the independent claims discussed above. No prior art reference makes up for the deficiencies of that reference as applied against the independent claims as no prior art reference discloses the characterizing features of the independent claims. Such a modification of the prior art derived at the time of the

present invention can only be made through hindsight after first revealing and understanding the present invention. Such use of hindsight to derive at the present invention is improper as a matter of law. Hence, it is respectfully requested that all pending claims are patentable over the cited prior art.

In conclusion, it is respectfully submitted that the pending claims are in condition for allowance, which allowance is respectfully requested. Applicant also respectfully requests to be contacted by telephone if any remaining issues result in an attempt to finally overcome these disputed issues and place the application in condition for allowance.

The Commissioner is authorized to charge any fee or credit any overpayment in connection with this communication to our Deposit Account No. 11-1449.

Respectfully submitted,

KOHN & ASSOCIATES

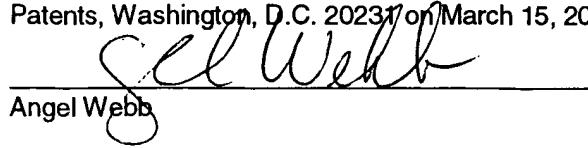


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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on March 15, 2002.


Angel Webb

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

1. An apparatus for collecting, disposing, and measuring liquids, comprising:
a vessel including side walls and a bottom wall forming an inner surface;
and
absorption means disposed on entire said inner surface substantially
covering said side walls and said bottom wall of said vessel for absorbing
and collecting liquids within said vessel.

7. The apparatus according to claim 6, wherein said absorption means
further includes super-absorbing means centrally located on said inner surface of said
vessel for absorbing, collecting, and retaining liquids including urine, water, liquid fecal
material, body fluids, and vomit.

11. Absorption means disposed on [an] entire inner surface of a vessel
including side walls and a bottom wall for collecting liquids within [said] the vessel,
wherein said absorption means substantially covers the side walls and the bottom wall.

21. Absorption means for absorbing liquids including connecting means for
connecting said absorption means to an inner surface of a vessel including side walls
and a bottom wall wherein said absorption means covers the entire inner surface
thereon substantially covering the side walls and the bottom walls.

22. A disposable vessel including an inner chamber having side walls and a
bottom wall and absorption means disposed [within] on entire said inner chamber
substantially covering said side walls and said bottom wall for absorbing liquids.